



3-7-05

AF/200638

Atty. Dkt. No. 056859-0137

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Indra SANDAL et al.  
Title: TRANSGENIC TEA THROUGH  
BIOLISTIC USING LEAF  
EXPLANTS  
Appl. No.: 10/051,383  
Filing Date: 1/22/2002  
Examiner: Georgia L. Helmer  
Art Unit: 1638

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 423499055 US (Express Mail Label Number)	March 3, 2005 (Date of Deposit)
Charles J. Schreck (Printed Name)	
Charles J. Schreck (Signature)	

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated September 3, 2004, finally rejecting Claims 26-54.

- ☐ Applicant claims small entity status.
- ☒ Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ Notice of Appeal Fee
- ☒ To be paid as detailed below
- ☐ Not required (Fee paid in prior appeal)

03/09/2005 YPOLITE1 00000098 10051383

01 FC:1401  
02 FC:1253

500.00 OP  
1020.00 OP

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1,520.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$1,520.00

☒ A check in the amount of \$1,520.00 to cover the above fees is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date March 3, 2005

By V.S. Peet #55,459

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for:  
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